



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#20
5/4/04

CUSTOMER NO.: 22927

Applicants: JAY S. WALKER et al.
Application Serial No.: 09/632,295
Filing Date: August 3, 2000

Title: INSTANT CREDIT CARD MARKETING SYSTEM

Attorney Docket No: 96-200-C1 **(Please note new docket number)*

Group Art Unit: 3624
Examiner: Richard C. Weisberger

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APR 05 2004

GROUP 3600

Mail Stop: Office of Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION
of the Holding of Abandonment - No Abandonment in Fact

Summary of Request

Applicants request reconsideration and withdrawal of the abandonment of the present application, per MPEP 711.03. Since a reply was timely filed, there was no abandonment in fact.

Facts

The most recent Office Action was mailed August 1, 2003.

Applicants filed a Notice of Appeal responsive to this Office Action on October 31, 2003, with the required payable fee of \$165.00 and authorization for USPTO to charge any additional fees that may be required for continued prosecution of the referenced patent application to Deposit Account 50-0271. Attached are copies of this Notice of Appeal with certificate of mailing dated October 31, 2003, and a copy of the Return Receipt Postcard with USTPO stamp indicating receipt on November 3, 2003.

Nevertheless, a Notice of Abandonment was mailed on March 9, 2004.

Conclusion

Applicants request that the Abandonment of the Application be withdrawn because there was no abandonment in fact. Applicants specifically request that the Application be considered as never abandoned, and the response filed on October 31, 2003 be accepted as timely filed.

Applicants believe no fee is due. Please charge any fees that may be required for this Request, or credit any overpayment to Deposit Account No. 50-0271. Order number 96-200-C1. The Assistant Commissioner is further authorized to charge any additional fees which may be required for the submission of this paper, or credit any overpayment to Deposit Account No. 50-0271.

Furthermore, should an extension of time be required, please grant any extension of time which may be required to make this submission timely, and charge any fee for such an extension to Deposit Account No. 50-0271. A duplicate copy of this authorization is enclosed for such purposes.

Respectfully submitted,

March 29, 2004
Date



Michael D. Downs
Attorney for Applicants
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(203) 461-7300 /fax

Conclusion

Applicants request that the Abandonment of the Application be withdrawn because there was no abandonment in fact. Applicants specifically request that the Application be considered as never abandoned, and the response filed on October 31, 2003 be accepted as timely filed.

Applicants believe no fee is due. Please charge any fees that may be required for this Request, or credit any overpayment to Deposit Account No. 50-0271. Order number 96-200-C1. The Assistant Commissioner is further authorized to charge any additional fees which may be required for the submission of this paper, or credit any overpayment to Deposit Account No. 50-0271.

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March 29, 2004
Date


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Commissioner for Patents:

Date Received:

Applicant: WALKER et al.
Serial No.: 09/632,295
Filing Date: August 3, 2000
Title: INSTANT CREDIT CARD MARKETING SYSTEM
(96-200-C1)

Sir:

Commissioner for Patents:

Date Received:

Applicant: WALKER et al.
Serial No.: 09/632,295
Filing Date: August 3, 2000
Title: INSTANT CREDIT CARD MARKETING SYSTEM
(96-200-C1)

Sir:

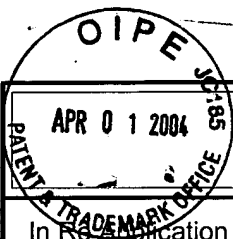
Please acknowledge receipt of the following papers by stamping the date received on this card and returning the same to the addressee.

- Notice of Appeal, 1 pg., (x2).

Date mailed: October 31, 2003.



3624



TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
96-200-C1

In Re Application Of: JAY S. WALKER et al.

Serial No.
09/632,295

Filing Date
August 3, 2000

Examiner
Richard, C. Weisberger

Group Art Unit
3624

Title:
INSTANT CREDIT CARD MARKETING SYSTEM

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Request for Reconsideration, 2 pp.;
Copies of Return Receipt Postcard stamped by USPTO as received on November 3, 2003, 1 pg., and Notice of
Appeal from Primary Examiner to the Board of Patent Appeals, 2 pp.; and
Return Receipt Postcard.

in the above identified application.

- ☐ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. _____
as described below.
- ☐ Charge the amount of _____
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

50-0271

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APR 05 2004
GROUP 3600

Signature

Dated: March 29, 2004

Michael D. Downs
Attorney for Applicants
PTO Registration No. 50,252
Walker Digital, LLC
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203.461.7300/fax

CUSTOMER NO.

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cc:

I certify that this document and fee is being deposited
March 29, 2004 with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Commissioner for Patents, P.O. Box 1450, Alexandria, VA
22313-1450.

Signature of Person Mailing Correspondence

Veronika S. Leliever

Typed or Printed Name of Person Mailing Correspondence

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Small Entity)**

Docket No.
96-200-C1

In Re Application Of:
JAY S. WALKER et al.

APR 01 2004
PATENT & TRADEMARK OFFICE

Serial No.

09/632,295

Filing Date

August 3, 2000

Examiner

Weisberger, Richard C.

Group Art Unit

3624

Invention:

INSTANT CREDIT CARD MARKETING SYSTEM

TO THE COMMISSIONER FOR PATENTS:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated August 1, 2003 rejecting Claim(s) 60 and 73-92 and 96

Applicant is a small entity under 37 CFR 1.9 and 1.27.

A verified statement of small entity status under 37 CFR 1.27:

- ☐ is enclosed.
- ☒ has already been filed in this application.

The fee for this Notice of Appeal is: \$165.00

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Director has already been authorized to charge fees in this application to a Deposit Account.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-0271


Signature

Dated: October 31, 2003

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Veronika S. Lelieve

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